

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c) Eric J Clayman, Esquire Jenkins & Clayman 412 White Horse Pike Audubon, NJ 08106 (856) 546-9696 Attorney for Debtor	
In Re: Michael Polk debtor	Case No.: 17-27513 Judge: ABA Chapter: 13

- CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO**
☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**
☐ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by _____, creditor.

A hearing has been scheduled for _____

OR

- ☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee, _____.

A hearing has been scheduled for _____, at ____.

- ☒ Certification of Default filed by Reverse Mortgage Solutions, Inc., creditor

I am requesting a hearing be scheduled in this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled in this matter.

2. I am objecting to the above for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$_____, but have not been accounted for. Documentation in support of attached hereto.
- ☐ Payments have not been made for the following reasons and debtor proposes repayment as follows **explain your answer**): _____

☒ Other (**explain your answer**): In my Chapter 13 case, my landlord filed a motion to vacate the stay at the beginning of 2019. I was behind at that time, and there was an arrangement entered into for me to catch up. At the end of December, a Certification of Default was filed by my landlord saying that I was behind on the agreement that I had made to catch up on the rent arrears. In looking at the payment history that they attached to the Certification, they don't show any payment being made in December. I sent \$1,000 in December, and that would have been December's payment. They said that I owed through December \$2,180, but when you subtract the \$1,000, that leaves just \$1,180, and I told my attorneys I could make this up and would do so within the next ten days. Accordingly, I ask that this Certification be denied and that a hearing be held.

- _____
3. This Certification is being made in an effort to resolve the issues raised by the creditor in this motion.
4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 01/03/2020

/s/ Michael Polk
Michael Polk, debtor

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.

2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested